

FOR THE DISTRICT OF DELAWARE

MOTION FOR DETENTION HEARING

 Crime of violence (18 U.S.C. § 3156)

 Maximum sentence life imprisonment or death

 x 10+ year drug offense

 X Felony, with two prior convictions in above
categories

 x Serious risk defendant will flee

 Serious risk obstruction of justice

2. Reason For Detention. The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

 x Defendant's appearance as required

 x Safety of any other person and the community

3. Rebuttable Presumption. The United States (will, will not) invoke the rebuttable presumption against defendant under §3142(e). (If yes) The presumption applies because (**check one or both**):

 x Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. §924(c)

 Previous conviction for "eligible" offense committed while on pretrial bond

4. Time For Detention Hearing. The United States requests the court conduct the detention hearing,

 At first appearance

 x After continuance of 3 days (not more than 3).

5. Temporary Detention. The United States requests the temporary detention of the defendant for a period of

days (not more than 10) so that the appropriate officials can be notified since:

1. At the time the offense was committed the defendant was:

_____ (a) on release pending trial for a felony;

_____ (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

_____ (c) on probation or parole for an offense.

2. _____ The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

3. _____ The defendant may flee or pose a danger to any other person or the community.

DATED this 21st day of April, 2005.

COLM F. CONNOLLY
United States Attorney

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